

PATENT COOPERATION TREATY

PCT

NOTIFICATION OF ELECTION

(PCT Rule 61.2)

From the INTERNATIONAL BUREAU

To:

Commissioner
US Department of Commerce
United States Patent and Trademark
Office, PCT
2011 South Clark Place Room
CP2/5C24
Arlington, VA 22202
ETATS-UNIS D'AMERIQUE
in its capacity as elected Office

Date of mailing: 08 February 2001 (08.02.01)	
International application No.: PCT/GB00/01678	Applicant's or agent's file reference: FP2622/PRH/ejp
International filing date: 02 May 2000 (02.05.00)	Priority date: 30 April 1999 (30.04.99)
Applicant: DONNELLAN, Anthony	

1. The designated Office is hereby notified of its election made:

☒ in the demand filed with the International preliminary Examining Authority on:
27 November 2000 (27.11.00)

☐ in a notice effecting later election filed with the International Bureau on:

2. The election ☒ was
☐ was not

made before the expiration of 19 months from the priority date or, where Rule 32 applies, within the time limit under Rule 32.2(b).


The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No.: (41-22) 740.14.35	Authorized officer: J. Zahra Telephone No.: (41-22) 338.83.38
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PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference FP2622/PRH/ejp		FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/GB00/01678	International filing date (day/month/year) 02/05/2000	Priority date (day/month/year) 30/04/1999	
International Patent Classification (IPC) or national classification and IPC E04F15/02			
Applicant DONNELLAN, Anthony			
<p>1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of 7 sheets, including this cover sheet.</p> <p><input type="checkbox"/> This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).</p> <p>These annexes consist of a total of sheets.</p>			
<p>3. This report contains indications relating to the following items:</p> <ul style="list-style-type: none"> I <input checked="" type="checkbox"/> Basis of the report II <input type="checkbox"/> Priority III <input checked="" type="checkbox"/> Non-establishment of opinion with regard to novelty, inventive step and industrial applicability IV <input type="checkbox"/> Lack of unity of invention V <input checked="" type="checkbox"/> Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement VI <input type="checkbox"/> Certain documents cited VII <input checked="" type="checkbox"/> Certain defects in the international application VIII <input checked="" type="checkbox"/> Certain observations on the international application 			
Date of submission of the demand 27/11/2000		Date of completion of this report 24.07.2001	
Name and mailing address of the international preliminary examining authority:  European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 eppm:d Fax: +49 89 2399 - 4465		Authorized officer Bouyssy, V Telephone No. +49 89 2399 2073	



**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**International application No. **PCT/GB00/01678****I. Basis of the report**

1. With regard to the elements of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17):*

Description, pages:

1-9 as originally filed

Claims, No.:

1-20 as originally filed

Drawings, sheets:

1/4-4/4 as originally filed

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages:
- ☐ the claims, Nos.:

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EXAMINATION REPORT**International application No. **PCT/GB00/01678**

- ☐ the drawings, sheets:
5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)):
(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)

6. Additional observations, if necessary:

III. Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

1. The questions whether the claimed invention appears to be novel, to involve an inventive step (to be non-obvious), or to be industrially applicable have not been examined in respect of:
- ☐ the entire international application.
- ☒ claims Nos. 16.

because:

- ☐ the said international application, or the said claims Nos. relate to the following subject matter which does not require an international preliminary examination (*specify*):
- ☒ the description, claims or drawings (*indicate particular elements below*) or said claims Nos. 16 are so unclear that no meaningful opinion could be formed (*specify*):
see separate sheet
- ☐ the claims, or said claims Nos. are so inadequately supported by the description that no meaningful opinion could be formed.
- ☐ no international search report has been established for the said claims Nos. .
2. A meaningful international preliminary examination cannot be carried out due to the failure of the nucleotide and/or amino acid sequence listing to comply with the standard provided for in Annex C of the Administrative Instructions:
- ☐ the written form has not been furnished or does not comply with the standard.
- ☐ the computer readable form has not been furnished or does not comply with the standard.

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)

Yes: Claims 6, 15

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	No:	Claims	1-5, 7-14, 17-20
Inventive step (IS)	Yes:	Claims	
	No:	Claims	6, 15
Industrial applicability (IA)	Yes:	Claims	1-15, 17-20
	No:	Claims	

2. Citations and explanations
see separate sheet

VII. Certain defects in the international application

The following defects in the form or contents of the international application have been noted:
see separate sheet

VIII. Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:
see separate sheet

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT - SEPARATE SHEET**

International application No. PCT/GB00/01678

1. The following documents are referred to in this report:

D1 = DE-U-19 08 769
D2 = DE-A-27 24 128
D3 = CH-A-579 693
D4 = EP-A-0 617 182
D5 = GB-A-2 279 375
D6 = US-A-4 233 792
D7 = GB-A-2 228 953
D8 = EP-A-0 544 604

Re Item III**Non-establishment of opinion with regard to novelty, inventive step and industrial applicability**

2. Claim 16 does not meet the requirements of Article 6 PCT in that the matter for which protection is sought is not defined.

This claim attempts to define the subject-matter only by reference to the drawings, although it appears possible to define the subject-matter in terms of technical features.

Therefore, claim 16 is so unclear that, following Article 34 (4) (a) (ii) PCT, the questions referred to in Article 33 (1) PCT will not be considered for this claim.

Re Item V**Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement****NOVELTY (ARTICLE 33 (2) PCT)**

3. The subject-matter of any of claims 1-5, 7-14 and 17-20 is not novel:

- 3.1 D1 discloses (cf. grid or single T-shaped profile, Figure 1) a tiling guide to aid the placement of tiles onto a surface, the guide comprising
- surface-engaging means (see bottom surface of T-shaped profile(s)) which enable the guide to be secured to the surface (see page 6 lines 19-22),
 - one or more substantially flat elongate portions, each portion having a tile engaging side and a surface engaging side (see T-shaped profile(s)) and
 - tile abutment means to align the edge of a tile (see ridge of T-shaped profile(s)),
 - the guide being so sized so as to be completely obscured from view once the completed tiling has been conventionally grouted (see page 4 lines 4-6, page 5 lines 8-11, claim 5).

Thus, the combination of features of claim 1 is entirely disclosed by the tiling guide described in D1.

- 3.2 Although D1 teaches that the T-shaped profiles shall be assembled to form a grid (p. 3 lines 13-24), each T-shaped profile is suitable for the purpose stated in claim 1, though it has never been described for that purpose. Therefore, each T-shaped profile is also considered as anticipating the

INTERNATIONAL PRELIMINARYInternational application No. **PCT/GB00/01678****EXAMINATION REPORT - SEPARATE SHEET**

subject-matter of this claim.

- 3.3 The subject-matter of claim 1 is also anticipated by the tiling guides disclosed in D2 (see Figure 1), D3 (see Figure 1), D4 (see tiling guide 1, Figures), D5 (see page 2, Figures 1 and 4) D6 (see Figures 3-4), D7 (Figure 4) and D8 (Figures and col. 7-8).

Though the known tiling guides known from D2, D3 and D4 have never been described for the purpose stated in claim 1, each of these guides is suitable for that stated purpose because it could be "completely obscured from view once the completed tiling has been conventionally grouted" if it was used in combination with tiles which thickness is larger than the height of the ridge.

- 3.4 These known tiling guides possess also the additional features of dependent claims 2-5 and 7-14:
- | | |
|----------------|---|
| claim 2 or 3 | see D1, D2, D3, D4, D5 ridge 1, D6 ridge 2, D7 Figure 4 and D8 ridge 3 |
| claim 4 or 5 | see D5 cut-outs 2 and D8 |
| claim 7 or 8 | see D1 grid, D2 Figures 11-12, D5 Figure 4, D6 and D8 |
| claim 9 | see D1 single T-shaped profile, D2 Figur 1, D3 Figures 1-2, D4 Figures, D5 Figure 1, D7 |
| claim 10 | see D4 see markings 8 |
| claim 11 or 12 | see D1 "verklebt" page 6, D2 "mit ... Haftkleber beschichtet" and "bis zur Verwendung mit ... Abdeckpapier geschützt" pages 5-6, D3 "geklebt" col. 2, D4 "Mörtel", D5 page 3 line 9 |
| claim 13 | see D4 col. 3 lines 32-45 and col. 4 lines 5-8 |
| claim 14 | see D4 grooves between bumps 22' and 23', Figures and col. 8 lines 33-37 |

- 3.5 Moreover, D5 describes a method according to independent claim 17 and with the additional features of claims 18 and 19 (see especially page 3 lines 8-10 and page 2 last two paragraphs). Such a method is also known from D6 (see col. 3 lines 32-48) and D8 (see col. 7-8).
- 3.6 Finally, a pack of tiles with tiling guides according to claim 1 is also described in any of the afore listed documents. Therefore, the subject-matter of claim 20 is not novel.

INVENTIVE STEP (ARTICLE 33 (3) PCT)

4. The subject-matter of any of claims 6 and 15 does not involve an inventive step:
- 4.1 The additional feature of claim 6 is merely one of several possibilities from which the skilled person would select, in accordance with circumstances and on the basis of his expert knowledge, without the exercise of inventive skill in order to allow grout to key into the guide according to D3-D8.
- 4.2 The tile engaging sides of the guide according to D3 (see Figure 1) or D4 (col. 5 lines 54-57) subtend an angle with the surface. The additional features of dependent claim 15 consist in the choice of a particular angle from a limited range of possibilities, and it is clear that this could be arrived at by routine trial and error or by application of normal design procedures.

INDUSTRIAL APPLICATION (ARTICLE 33 (4) PCT)

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5. The subject-matter according to any of claims 1-15 and 17-20 is industrially applicable.

Re Item VII

Certain defects in the international application

6. Claim 6 contains a reference to the description and the drawings (see expression "T-shaped cross section 91"). According to Rule 6.2(a) PCT, claims should not contain such references except where absolutely necessary, which is not the case here. In fact, reference sign 91 shall be placed in parentheses (Rule 6.2(b) PCT).
7. According to the requirements of Rule 10.2 PCT, the terminology and the signs shall be consistent throughout the application. This requirement is not met in view of the use of reference signs 16A-16B (see claims 7-8) and 15A-15B (see Figure 7 and page 6 lines 25-26) for the same feature. Note also that reference signs 16A and 16B do not appear in the description and in the drawings.

Re Item VIII

Certain observations on the International application

8. In independent claim 17, the expression "a tiling guide of the type specified herein above" lacks clarity because it is not clear whether the wording "herein above" refers to any of claims 1-16 or to the description.
9. The expression "as described by the appended claims" should be added in the description, page 6 line 28, to avoid an expansion of the extent of protection in some vague and not precisely defined way (PCT-Guidelines, III, 4.3a and 6.5).



INVESTOR IN PROPIE

Application N : GB 0010387.9
 Claims searched: 1 - 20

Examiner: J D Cantrell
 Date of search: 13 November 2000

Patents Act 1977 Search Report under Section 17

Databases searched:

UK Patent Office collections, including GB, EP, WO & US patent specifications, in:

UK Cl (Ed.R): EID: DLEKH, DLEKMN, DLEKMCV, DLEKMSV, DLEKMSW,
 DLEKMNW, DLEKN EIS: SAB, SAD

Int Cl (Ed.7): E04F E04G

Other: ON - LINE: EPODOC, PAJ, WPI

Documents considered to be relevant:

Category	Identity of document and relevant passage	Relevant to claims
X	GB 2279375 A WILLIAMS X	1 - 5, 7 - 9, 17, 19
X	GB 2228953 A APPLEBY X	1 - 3, 9
Y	GB 2253878 A WILDMAN	11, 12
X, Y	EP 0544604 A1 FUKUVI X	1-3, 7, 8, 17, 19 Y: 11, 12
X, Y	US 4233792 MALAVASI X	1-3, 7, 8, 17, 19 Y: 11, 12

X Document indicating lack of novelty or inventive step
 Y Document indicating lack of inventive step if combined with one or more other documents of same category.

& Member of the same patent family

A Document indicating technological background and/or state of the art.
 P Document published on or after the declared priority date but before the filing date of this invention.
 E Patent document published on or after, but with priority date earlier than, the filing date of this application.

(12) INTERNATIONAL APPLICATION PUBLISHED UNDER THE PATENT COOPERATION TREATY (PCT)

(19) World Intellectual Property Organization
International Bureau



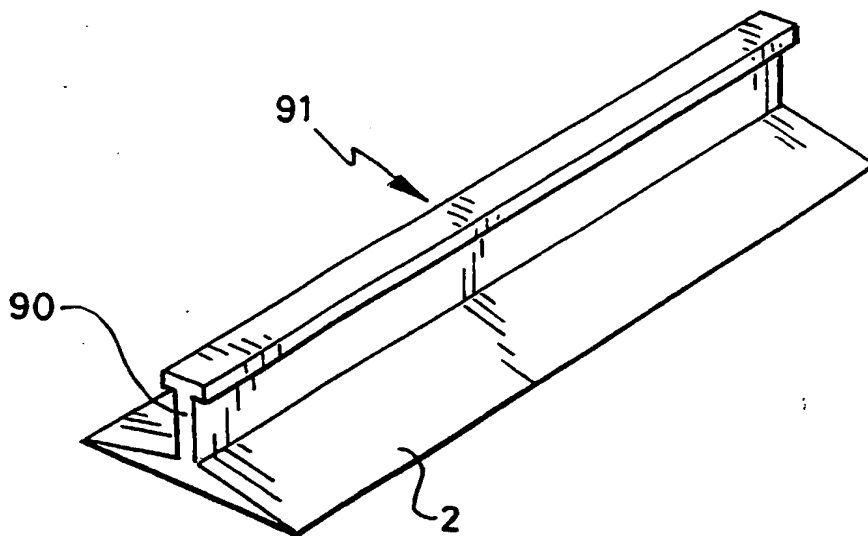
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PCT

(10) International Publication Number
WO 01/09460 A1

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- (81) Designated States (*national*): AE, AG, AL, AM, AT, AU, AZ, BA, BB, BG, BR, BY, CA, CH, CN, CR, CU, CZ, DE, DK, DM, DZ, EE, ES, FI, GB, GD, GE, GH, GM, HR, HU, ID, IL, IN, IS, JP, KE, KG, KP, KR, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD, MG, MK, MN, MW, MX, NO, NZ, PL, PT, RO, RU, SD, SE, SG, SI, SK, SL, TJ, TM, TR, TT, TZ, UA, UG, US, UZ, VN, YU, ZA, ZW.
- (84) Designated States (*regional*): ARIPO patent (GH, GM, KE, LS, MW, SD, SL, SZ, TZ, UG, ZW), Eurasian patent (AM, AZ, BY, KG, KZ, MD, RU, TJ, TM), European patent (AT, BE, CH, CY, DE, DK, ES, FI, FR, GB, GR, IE, IT, LU, MC, NL, PT, SE), OAPI patent (BF, BJ, CF, CG, CI, CM, GA, GN, GW, ML, MR, NE, SN, TD, TG).
- Published:
— *With international search report.*
- For two-letter codes and other abbreviations, refer to the "Guidance Notes on Codes and Abbreviations" appearing at the beginning of each regular issue of the PCT Gazette.*

(54) Title: **A TILING AID**



(57) Abstract: A tiling guide (1) to aid the placement of tiles on to a surface comprises an elongate substantially flat strip having fixing means (12) to secure the guide (1) to a surface. The guide (1) is provided with a ridge (3) against which a tile can be aligned, and is so sized as to be obscured from view following conventional grouting. The ridge (3) may be provided with a series of cut-outs, and preferably has a castellated shape to enable the guide (1) to be rolled up during storage and transportation. Fixing means (12) is preferably in the form of a layer of adhesive protected prior to use by a peelable paper strip (11).

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INTERNATIONAL SEARCH REPORT

International Application No

PCT/GB 00/01678

A. CLASSIFICATION OF SUBJECT MATTER
IPC 7 E04F15/02 E04F13/14

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 E04F

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal, WPI Data, PAJ

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
Y	DE 19 08 769 U (LAMMERICH) 21 January 1965 (1965-01-21) page 3, line 9 -page 7, line 22; figures 1,2	1-3, 6-8, 11, 12, 17-20
A		4, 5, 9, 10
Y	DE 27 24 128 A (REIGER LUDWIG) 7 December 1978 (1978-12-07) page 5, line 1 -page 11, line 14; figures 1-21	1-3, 6-8, 11, 12, 17-20
A	CH 579 693 A (GOSSENBERG CURT) 15 September 1976 (1976-09-15) the whole document	1-3, 6-10, 17-20
	-/-	

☒ Further documents are listed in the continuation of box C.

☒ Patent family members are listed in annex.

* Special categories of cited documents :

- "A" document defining the general state of the art which is not considered to be of particular relevance
- "E" earlier document but published on or after the international filing date
- "L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- "O" document referring to an oral disclosure, use, exhibition or other means
- "P" document published prior to the international filing date but later than the priority date claimed

- "T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
- "X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
- "Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.
- "&" document member of the same patent family

Date of the actual completion of the international search

22 August 2000

Date of mailing of the international search report

29/08/2000

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Authorized officer

Ayiter, J

INTERNATIONAL SEARCH REPORT

In International Application No
PCT/GB 00/01678

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	<p>EP 0 617 182 A (WEDI HELMUT) 28 September 1994 (1994-09-28)</p> <p>column 5, line 47 -column 10, line 10; figures 1-6</p>	<p>1-3, 6, 13, 14, 17, 18, 20</p>

INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/GB 00/01678

Patent document cited in search report	Publication date	Patent family member(s)	Publication date
DE 1908769 U		NONE	
DE 2724128 A	07-12-1978	NONE	
CH 579693 A	15-09-1976	NONE	
EP 0617182 A	28-09-1994	DE 9304509 U AT 139592 T DE 59400363 D DK 617182 T ES 2089866 T GR 3021070 T	27-05-1993 15-07-1996 25-07-1996 28-10-1996 01-10-1996 31-12-1996